

Instruction No. 1.

The Court instructs the Jury that the law presumes that the accused is innocent of the offence charged against her in the indictment, and that this presumption goes with the accused through the entire trial, and applies at every stage thereof, until her guilt has been proven beyond every reasonable doubt.

Instruction No. 2.

The Court instructs the Jury that even if they believe that the evidence in this case demonstrates the probability of the guilt of the accused, still if it fails to establish beyond every reasonable doubt, the guilt of the accused, then, it is their duty to acquit her, for the Jury are instructed that mere probabilities are not sufficient to warrant a conviction; nor is it sufficient that the greater weight or preponderance of the evidence supports the allegations of the indictment; nor is it sufficient that ~~it~~ is more probable that the accused is guilty, than it is that she is innocent. To warrant a conviction of the accused, she must be proven to be guilty, so clearly and so conclusively, that there can be no reasonable theory upon which she can be innocent, when all the evidence of the case is considered together.



Instruction No. 1.

The Court instructs the jury that the law presumes that the accused is innocent of the offense charged against her in the indictment, and that this presumption goes with the accused through the entire trial, and unless it is shown by the evidence that the accused has been proven beyond every reasonable doubt.

Instruction No. 2.

The Court instructs the jury that even if they believe that the evidence in this case demonstrates the probability of the guilt of the accused, still it is false to establish beyond every reasonable doubt, the guilt of the accused, then, it is their duty to acquit her, and the jury are instructed that mere probabilities are not sufficient to warrant a conviction; nor is it sufficient that the greater weight or preponderance of the evidence supports the allegations of the indictment; nor is it sufficient that it is more probable that the accused is guilty, than it is that she is innocent. To warrant a conviction of the accused, she must be proven to be guilty, so clearly and so conclusively, that there can be no reasonable theory upon which she can be innocent; when all the evidence of the case is considered together.



Instruction No. 3.

The Court instructs the Jury that the burden is upon the Commonwealth to prove every fact necessary to convict the accused of the offence charged in the indictment, and if they have any reasonable doubt as to any fact necessary to convict the accused as aforesaid, they are bound to give her the benefit of such doubt, and find her not guilty; and the Court tells the Jury that by a reasonable doubt is meant, "that state of the case, which after the entire comparison and consideration of all the evidence, leaves the minds of the jurors in that condition, that they cannot say they feel an abiding conviction to a moral certainty of the truth of the charge."

Instruction No. 4.

The Court instructs the Jury that if they believe from the evidence that the accused married Robert G. Dillard, while entertaining an honest and reasonable belief that her first husband, Richard H. Taylor, was dead, then they must find the accused not guilty; but a mere rumor or report of his death, or of the death of a person of like name and description, though coupled with an honest belief on her part that her husband was dead, would not justify or excuse her without such further investigation and inquiry on her part, made at the sources whence a knowledge of the truth might have been obtained, as a reasonable and prudent person would have made in a matter of such importance.



Instruction No. 3.

The Court instructs the Jury that the burden is upon the Commonwealth to prove every fact necessary to convict the accused of the offense charged in the indictment, and if they have any reasonable doubt as to any fact necessary to convict the accused as aforesaid, they are bound to give her the benefit of such doubt, and find her not guilty; and the Court tells the Jury that by a reasonable doubt is meant, "that state of the case, which after the entire comparison and consideration of all the evidence, leaves the minds of the jurors in that condition, that they cannot say they feel an abiding conviction to a moral certainty of the truth of the charge."

Instruction No. 4.

The Court instructs the Jury that if they believe from the evidence that the accused married Robert G. Millard, while entertaining an honest and reasonable belief that her first husband, Richard H. Taylor, was dead, then they must find the accused not guilty; but a mere rumor or report of his death is not sufficient to establish a person of this name and description, though accepted as such by the accused, and the fact that her husband was dead, would not justify or excuse her without that further investigation and inquiry on her part, such as the law requires in such a case. The Court further instructs the Jury that if they believe from the evidence that the accused married Robert G. Millard, while entertaining an honest and reasonable belief that her first husband, Richard H. Taylor, was dead, then they must find the accused not guilty; but a mere rumor or report of his death is not sufficient to establish a person of this name and description, though accepted as such by the accused, and the fact that her husband was dead, would not justify or excuse her without that further investigation and inquiry on her part, such as the law requires in such a case.

H. N. C.      Cranford  
Community

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Mary Elizabeth Taylor

1 Samuel Ammenton

2 B. B. Shifflett

3 J. Marion Harner

4 J. ~~Wm~~ Briggs

5 J. R. Caldwell

6 Dennis J. Driver

7 M. W. Firebaugh

8 W. C. Acker

9 W. D. Harnberger

10 W. R. Washington

11 W. D. Martin

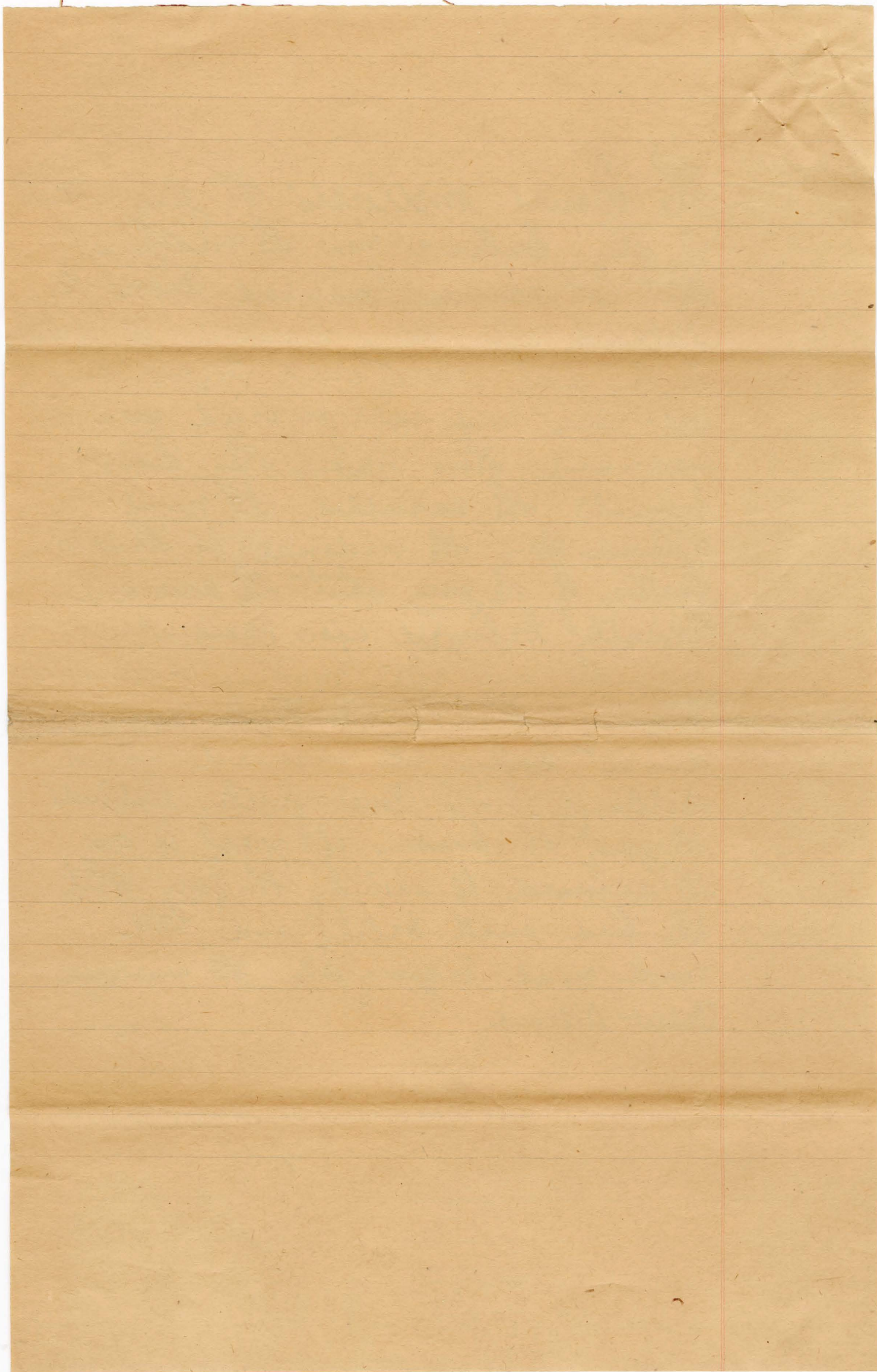
12 J. A. Burtner





The Court instructs the jury that if they believe from the evidence that the accused married Robert-G. Dillard after being married to Richard Taylor and while said Taylor was yet-alive and not-divorced from the accused, then before they can acquit the accused it must appear from the evidence to the satisfaction of the jury that the accused honestly believed upon reasonable grounds, and after making reasonable inquiry, that said Taylor was dead before she married said Dillard. The Court further instructs the jury that the burden of proof is on the accused to satisfy the jury that she had such belief and had made such inquiry when she married Robert-Dillard.







If you find the prisoner not guilty -  
you will say so and no more

If you find the accused guilty - or  
charged in the indictment - you will  
say so and ascertain the punishment -  
which shall be confinement in the peniten-  
tiary not less than three nor more than  
eight years.

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Taylor Case  
Sharp.



COMMONWEALTH OF VIRGINIA,

To The Sheriff of Rockingham County, -- Greeting:

We command you that you take Mary Elizabeth Taylor, if  
to be found within your County, and her safely keep that  
you may have her body before the Circuit Court of the said  
County forthwith to answer us of a certain indictment  
whereof she stands indicted. And have then and there this  
writ.

Witness D. H. Lee Martz, Clerk of the said Court the 29th  
day of March, 1911, and in the 136th year of the  
Commonwealth.

D. H. Lee Martz, Clerk.

Executed Mar. 21, 1911, by arresting  
the within-named Mary Elizabeth Tay-  
lor, and bringing her body before  
the Circuit Court of Rockingham Co.

E. J. Carverhoff, APC

Plaintiff

vs { Copias

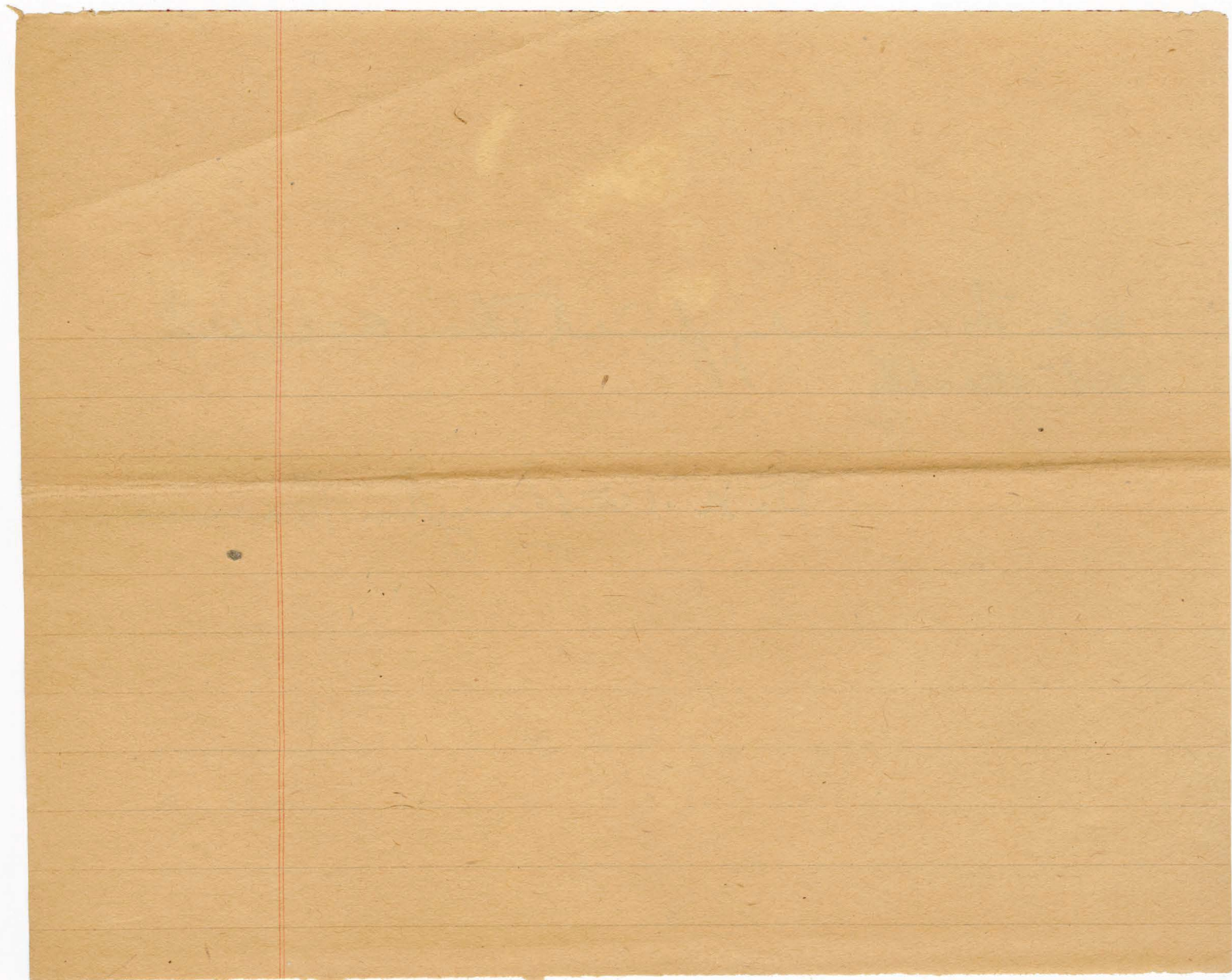
Mary Elizabeth Taylor

Fairview



we the jury find the accused  
not-guilty

D. H. Washington Foreman





Commonwealth of Virginia,

COUNTY OF ROCKINGHAM, To-wit:

IN THE CIRCUIT COURT OF SAID COUNTY:

The jurors of the Commonwealth of Virginia, in and for the body of the County of Rockingham, and now attending the said Court at its March term, in the year 1911, upon their oaths present that Mary Elizabeth Taylor, alias Mary Elizabeth Dillard (whose maiden name was Mary Elizabeth Kice) on the 8<sup>th</sup> day of April, in the year 1881, in the said County, did marry one Richard ~~Robert~~ H. Taylor and him the said Richard H. Taylor then and there had for her husband; and that the said Mary Elizabeth Taylor alias Mary Elizabeth Dillard, (whose maiden name was Mary Elizabeth Kice,) afterwards and while she was so married to the said Richard H. Taylor as aforesaid, to-wit, on the 30<sup>th</sup> day of January, 1909, in the County of Rockingham aforesaid, feloniously did marry and take as her husband, one Robert S. Dillard and to him the said Robert S. Dillard was then and there married, the said Richard H. Taylor her former husband being then alive against the peace and dignity of the Commonwealth of Virginia.

Upon the evidence of

Richard H. Taylor

witnesses sworn in open Court and sent to the Grand Jury to give evidence.

\_\_\_\_\_  
Clerk.



Me, the jury, find the accused not guilty.  
D. H. Watson for Foreman

Clerk

evidence.  
witnesses sworn in open Court and sent to the Grand Jury to give

Richard W. Taylor  
Upon the evidence of

Virginia.  
then alive against the peace and dignity of the Commonwealth of

and there married, the said Robert H. Taylor her former husband being

band, one William Dillard and to him the said Robert H. Taylor was then

of Rockingham County, feloniously did marry and take as her

forever, to-wit, on the 30<sup>th</sup> of July, 1864, in the County

of Rockingham County, (whose maiden name was Mary Elizabeth Taylor)

her husband and that the said Mary Elizabeth Taylor then and there had

in the year 1864 in the said County and State of Virginia

her name was Mary Elizabeth (Knee) on the

sent that Mary Elizabeth Taylor, alias Mary Elizabeth Dillard (whose

Commonwealth

of indictment

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stream

Mary Elizabeth Taylor  
alias Mary Elizabeth  
Dillard

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Stippled

1911 had been  
to appear in Court  
on the 11<sup>th</sup> of  
July 1864  
and for the  
sum of  
not guilty

Court at its March term, in the year 1861, upon their oaths pre-  
the body of the said Robert H. Taylor, and now attending the said  
The Jurors of the Commonwealth of Virginia, in and for  
IN THE CIRCUIT COURT OF SAID COUNTY:  
COUNTY OF ROCKINGHAM, To-wit:  
Commonwealth of Virginia.

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Dillard